



09/29/03

Please type a plus sign (+) inside this box → ☐Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P-28CIP2

First Inventor

ANDERSON et al.

Title

MULTIPLE-IN-1 PRECISION HAND TOOL

Express Mail Label No.

EV 157098781US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 34]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 37]
5. Oath or Declaration [Total Pages 20]
- a. ☒ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
- b. ☐ (for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: **PRELIMINARY AMENDMENT**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No.: 10/000,926

Prior application information:

Examiner James G. SMITH

Group Art Unit: 3723

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or

☒

Correspondence address below

Name

Marvin Feldman

Address

Lackebach Siegel, LLP

One Chase Road.

City

Scarsdale

State

New York

Zip Code

10583

Country

USA

Telephone

914-723-4300

Fax

914-723-4301

Name (Print/Type)

Marvin Feldman, Esq.

Registration No. (Attorney/Agent)

25,797

Signature

Date

September 23, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

03945 U.S. PTO

10/673604



09/29/03



09/29/03

PTO/SB/17 (10-02)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**552.00**

Complete if Known

Application Number	unassigned
Filing Date	Herewith
First Named Inventor	ANDERSON et al.
Examiner Name	James G. SMITH (Expected)
Art Unit	3723 (Expected)
Attorney Docket No.	P-28CIP2

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

10-0100

Lackenbah Siegel LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 740	2001 370	Utility filing fee	375
1002 330	2002 165	Design filing fee	
1003 510	2003 255	Plant filing fee	
1004 740	2004 370	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 375.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
21	-20** = 1	9-	9-
Independent Claims	7-	-3** = 4	18-
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**177.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 400	2252 200	Extension for reply within second month	
1253 920	2253 460	Extension for reply within third month	
1254 1,440	2254 720	Extension for reply within fourth month	
1255 1,960	2255 980	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,280	2453 640	Petition to revive - unintentional	
1501 1,280	2501 640	Utility issue fee (or reissue)	
1502 460	2502 230	Design issue fee	
1503 620	2503 310	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 740	2809 370	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 740	2810 370	For each additional invention to be examined (37 CFR 1.129(b))	
1801 740	2801 370	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Marvin Feldman, Esq.	Registration No. (Attorney/Agent)	25,797	Telephone	914-723-4300
Signature		Date	Sept 29, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)(2)

DOCKET NUMBER	ANTICIPATED CLASSIFICATION CLASS SUBCLASS		PRIOR EXAMINER	ART UNIT
P-28CIP2			James G. SMITH	3723

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV 157098781 US in an envelope addressed to Mail Stop: Patent Application, Hon. Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on:

Date : September 23, 2003

By : Marvin Feldman

Signature: [Signature]

Mail Stop: Patent Application

Hon. Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

This is a request for filing a ☒ Continuation-In-Part. ☐ Continuation, ☐ Divisional application under 37 CFR 1.53(b), of pending parent Application Ser. No. 10/000,926 filed October 19, 2001, which claims perfected priority from U.S. Serial No. 09/435,709 filed November 8, 1999, now Patent No. 6,374,711 and many others herein that are clearly noted, and which is entitled: **Multiple-In-1 Precision Hand Tool** by inventor(s): **Wayne ANDERSON and Paolo CASSUTTI**

1. Enclosed is a copy of the now-pending parent Application Ser. No. 10/000,926, specification, claims (as presently allowed), abstract and drawings in an acceptable format for filing in the USPTO. I hereby verify that all statements made herein of my own knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
	Total Claims	21 - 20 =	1	x \$9	\$ 9
	Indep. Claims	7 - 3 =	4	x \$42	\$168
	Multiple Dependent Claims			+ \$270 =	\$
				Basic Fee	\$375.00
	Surcharge - late filed fee or oath			+ \$130	\$ 0.00
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28)				as calculated
	TOTAL				\$552.00

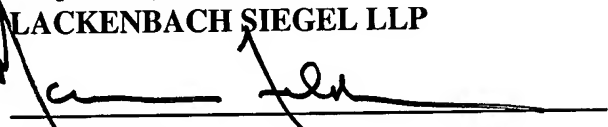
~~1054~~ 1054/6 Feb 51²⁰

2. ☒ Our check No. 105382 in the amount of \$ 552.00 covering the \$375.00 filing fee and calculated additional fees. Authorization is herein granted to debit the deposit account 10-0100 for any additional fees required in the present filing or to credit in the event of any overpayment.
3. ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27
☐ is attached OR was filed in a previous application OR
☒ was established and asserted in prior application number 10/000/926 and such status is still proper and desired (37 CFR 1.28(a))
4. ☐ Cancel original claim __ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ The pending claims in the parent application Ser. No. 10/00,926 are amended herein in a First Preliminary Amendment.
5. ☒ The inventor(s) of the invention being claimed in this application is/are:
☒ the same as in the parent application.
6. ☐ This application is being filed by less than those named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
7. ☒ Amend the application as shown in any accompanying Preliminary Amendment.
8. ☒ First claimed priority: See Declaration, Oath, and Power of Attorney
9. ☒ Enclosed are drawings: 20 sheets (formal) containing 37 Figs.
10. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next highest numbered original claim.)
11. ☐ The prior application is assigned of record to: BEST WAY TOOLS, 171 Brook Avenue, Deer Park, NY 11729, and was recorded on or about _____.

12. ☐ Also enclosed:
☐ Copy of Assignment and PTO-1595 (as filed in parent 09/604,896)
☐ Copy of Declaration and Power of Attorney (as filed in parent 10/000,926)
13. ☐ The power of attorney in the prior application is to Marvin Feldman (25,797), Myron Greenspan, Esq. (25,680), and others and under 37 CFR 1.34(a).
- a. ☒ The power appears in the original papers in the prior application.
b. ☐ Since the Power of Attorney does not appear in the original papers, a new Declaration/Power of Attorney will be filed in response to the Notice to File Missing Parts of Application.
c. ☒ A new power has been executed and is attached - since this is a CIP filing under §1.53(b)
14. ☒ The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 10-0100.
15. ☒ Address all future correspondence/communications to:

Lackebach Siegel LLP
One Chase Road
Scarsdale, NY 10583
(914) 723-4300

Respectfully submitted,
LACKENBACH SIEGEL LLP


Marvin Feldman
Registration No. 25,797
Attorney for Applicant

Dated: September 23, 2003

LACKENBACH SIEGEL



EXPRESS MAILING CERTIFICATE

Certificate of Mailing by "Express Mail"

"Express Mail" mailing label number:

EV 157 098 781 US

Date of Deposit September 29, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents, Alexandria, VA. 22303-1450

MARVIN FELDMAN

Dated: September 29, 2003

Applicant hereby petitions that any and all extensions of the term necessary to render this response timely be granted. Costs for such extension(s) and or any other fee due with this paper, not full covered by an enclosed check may be charged to Deposit Account #10-0100

Re
In the Application of: Wayne Anderson and Paolo Cassutti

Serial No:

Filing Date: (Concurrently Herewith)

Examiner: James G. Smith (Anticipated)

Art Unit: 3723

Title: MULTIPLE-IN-1 PRECISION HAND TOOL

Docket No: P.28 CIP2

Enclosed are the following documents:

- 1 Utility Patent Application Transmittal
- 2 Fee Transmittal
- 3 Request for Filing a Patent Application Under 37 CFR 1.53(b)(2)
- 4 Application Data Sheet
- 5 Oath/Declaration
- 6 Preliminary Amendment (12 sheets)
- 7 Specification (34 pages)
- 8 Formal Drawings (20 sheets)
- 9 Check 105382 in the amount of \$552
- 10 Check 105416 in the amount of \$51
- 11 Return Postcard Receipt